

DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

Cooperative Gypsy Moth Project

-- Illinois 2002 --

by

Illinois Department of Agriculture

And

USDA Forest Service

April 2002

DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

INTRODUCTION

This document accompanies the Environmental Assessment (EA) titled "Cooperative Gypsy Moth Slow the Spread Project For Illinois, 2002 ", written by the Illinois Department of Agriculture (IDOA) and the USDA Forest Service (USDA-FS). The EA is a site-specific analysis of the potential effects of implementing the Illinois Cooperative Gypsy Moth Project in 2002 which is referenced as the proposed action. The Forest Service is proposing to provide both technical and financial assistance on this project. National Environmental Policy Act (NEPA) guidelines must be followed anytime a project is proposed that involves federal funding, and which has the potential to significantly affect the environment. In addition to the EA and this Decision Notice and Finding of No Significant Impact, the Forest Service requires that a Work and Safety Plan and a Biological Evaluation must be completed before funding can be provided. In the absence of federal funding, IDOA is free to implement the proposed action without fulfilling NEPA or Forest Service procedures.

SUMMARY OF PROPOSED ACTION

IDOA, in cooperation with the USDA-FS, proposes to treat gypsy moth populations at 17 locations, totaling approximately 29,811 acres. *Bacillus thuringiensis* var. *kurstaki* (Btk), a biological insecticide, will be applied at 12 sites in Cook, DuPage, Kane, McHenry, and Winnebago counties, totaling approximately 6,843 acres (EA table 1). Five sites in Cook, DuPage, and Winnebago counties, totaling approximately 22,968 acres (EA table 1) will be treated with Disrupt II pheromone flakes. The objectives for this proposed action are to eliminate or greatly reduce reproducing gypsy moth populations from the proposed treatment sites in Illinois to slow the spread and buildup of gypsy moth populations.

Btk would be aerially applied in accordance with label directions during early-May to early June, 2002. The Disrupt II pheromone flakes (mating disruption) would be aerially applied in late June or early July. The Forest Service would cost-share treatments with IDOA. IDOA would administer the overall operational and administrative aspects of the cooperative project. The USDA-FS would cost-share on the project and would provide technical assistance to IDOA.

DECISION

The EA discusses two alternatives for treating gypsy moth infestations in Illinois. The EA documents a site-specific environmental analysis conducted jointly by the IDOA and the USDA-FS for federally supported gypsy moth activities in 2002. The EA is tiered (40 CFR 1502.20; 1508.28) to the 1995 Final Environmental Impact Statement entitled "Gypsy Moth Management in the United States: a cooperative approach" (FEIS) (USDA 1995). The EA includes a site-specific discussion of 1) the purpose and need for action, 2) the alternatives, including the proposed action, 3) the affected environment, and 4) the environmental consequences of the proposed action.

The two alternatives considered in detail in this analysis were: 1) Alternative 1, No Action and Alternative 2, Btk and Mating Disruption.

Based upon the analysis documented in this EA and the FEIS, it is my decision that the objectives of the proposed action and the needs of the people of Illinois are best met by Alternative 2 (Btk and Mating Disruption). This alternative is compatible with the preferred alternative discussed in the FEIS and selected in the Record of Decision (ROD), January 1996.

RATIONALE FOR DECISION

The general policy of the USDA Forest Service is to protect forest-related values from damaging insect and disease outbreaks. This policy stems from the Cooperative Forestry Assistance Act of 1978, as amended (P.L. 95-313), which incorporates provisions of the Forest Pest Control Act of 1947. These laws provide for Federal and State cooperation in forest insect and disease management. The Cooperative Forestry Assistance Act has been amended by the Forest Stewardship Act of 1990 (Farm Bill, P.L. 101-624) and grants authority to the Secretary of Agriculture to assist State officials through cooperative programs to control forest insects and diseases on non-federal forest lands of all ownerships. These programs have several purposes: 1) to enhance the growth and maintenance of trees and forests, 2) to promote the stability of forest-related industries, and associated employment, through the protection of forest resources, 3) to conserve forest cover on watersheds, shelterbelts, and windbreaks, 4) to protect outdoor recreation opportunities and other forest resources, and 5) to extend timber supplies by protecting wood products, stored wood, and wood in use.

The USDA Departmental gypsy moth policy (USDA 1990) assigns the Forest Service the responsibility to assist states in protecting non-Federal lands from gypsy moth damage. On January 16, 1996, the Deputy Chief of the Forest Service for State and Private Forestry, signed a Record of Decision (ROD) (USDA 1996) for the FEIS. The FEIS and ROD document the Forest Service's decision to support Suppression, Eradication, and Slow-The-Spread (STS) strategies for gypsy moth management. The ROD and FEIS specify that implementation of this alternative will require the completion of site-specific analyses conducted in accordance with the National Environmental Policy Act (NEPA), and its implementing regulations, and the environmental policy and procedures of the USDA Forest Service (USDA 1996, p. 1).

My decision to choose Alternative 2 as the preferred alternative is based upon compliance with, and the authority granted by, the federal laws and regulations previously described and with USDA Forest Service policy. This project complies with the Forest Pest Management Control Project Standards as described in the USDA Forest Service Manual (FSM 3430) and the Cooperative Control Project Participation Criteria as described in Chapter 10 of the USDA Forest Service Handbook (FSH 3409.11). This project conforms to USDA Forest Service policy to protect and preserve the forest resources of the nation against destructive forest insects and diseases (USDA 1995, Vol. II, p. 1-3).

I did not choose Alternative 1, (No Action) for the following reasons:

Alternative 1 (No Action) – This alternative was not selected because it does not meet our responsibility to assist the state of Illinois in protecting non-Federal lands from gypsy moth damage, nor does it support the general Forest Service policy of protecting forest-related values from damaging insect and disease outbreaks. Under alternative 1, state and private funding would be used to treat the gypsy moth infested acreages. Therefore, only a small amount of gypsy moth infested acreage would be treated. This alternative is likely to result in the widespread establishment and population buildup of gypsy moth in Illinois and more rapid spread to neighboring, uninfested areas.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the EA and carefully considered the issues and concerns expressed by the citizens of Illinois. Based on the site-specific environmental analysis documented in the EA, I have

determined that implementing this decision in the manner described will not cause significant environmental impacts or adverse effects. Therefore, an environmental impact statement is not needed for this project. This decision was made after considering the following:

There are no significant effects when considering context and intensity of the project (40 CFR 1508.27). Application of Btk or pheromone flakes for gypsy moth treatment would occur on a maximum of 29,811 forested acres in Illinois. The site-specific EA evaluates the environmental consequences (effects) in that particular context. This is only a small portion of the total acres of forested lands in Illinois. In addition, the project is limited to the late spring and early summer of 2002.

The intensity of any effects is minimal for the following reasons:

1. Impacts from the application of Btk or pheromone flakes are limited to the treatment areas.
2. There is no indication that the general public will experience any adverse health or safety effects from Btk or the pheromone flakes (USDA 1995, Vol. 11, p. 9-4).
3. Btk or pheromone flakes will not adversely affect parklands, wetlands, or ecologically critical areas.
4. Btk and the pheromone flake treatments are not highly controversial and will help to maintain the quality of the human environment as it existed prior to gypsy moth infestations. They are registered for treating gypsy moth and will be applied according to label requirements. This meets the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act of 1947 (7 USC 136) as amended.
5. There are no known unique or unknown risks associated with this project.
6. The decision to proceed is based upon the results of a site-specific environmental analysis conducted in accordance with NEPA. Decisions regarding future actions will be made in a similar manner.
7. The FEIS analyzed and demonstrated that neither cumulative environmental nor human health risks are associated with the use of either Btk or pheromone flakes.
8. The action will not affect any item listed on, or eligible for listing on, the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources.
9. As required under section 7 of the Endangered Species Act of 1973, as amended, U.S. Fish & Wildlife Service was consulted regarding the impacts of this project. It has been determined that implementation of this project is not likely to adversely impact any threatened or endangered species.
10. The proposed action complies and is consistent with all federal, state and local laws or requirements imposed for protection of the environment. The action is a cooperative project that has been planned, funded and will be implemented by agencies representing federal, state and local governments.

11. There will be no applications in urban areas during the time period when school children may be present outside (7:15-8:45 am).

This analysis and the FEIS it is tiered to were performed in compliance with Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." The implementation of the cooperative gypsy moth project will not result in disproportionately high and adverse human health or environmental effects on any minority populations or low-income populations. As required by the executive order, opportunities for all people in the proposed treatment areas to participate in the NEPA process have been provided.

This decision is not subject to appeal because the project will be implemented on private, state, and other federal agency lands and not on any National Forest lands. Before this project can be implemented letters from the U. S. Fish & Wildlife Service, the Illinois Department of Natural Resources, the Illinois Historic Preservation Agency, and the Illinois Nature Preserve Commission that indicate concurrence with this project must be received by the USDA-FS, Northeastern Area, State & Private Forestry St. Paul Field Office.

Date:_____

Michael W. Prouty, Field Representative
Northeastern Area, State & Private Forestry
1992 Folwell Ave.
St. Paul, MN 55108

For further information or to receive copies of the EA for this project, contact either:

James A. Cavanaugh
Gypsy Moth Program Manager
Illinois Department of Agriculture
Division of Natural Resources
Bureau of Environmental Programs
9511 West Harrison, Rm 169
DesPlaines, IL 60016
Phone: (847) 294-4343

or

Dwight E. Scarbrough
Entomologist
USDA Forest Service
Northeastern Area
State and Private Forestry, FHP
1992 Folwell Avenue
St. Paul, MN 55108
Phone: (651) 649-5265